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Item 20 of the preliminary list*
STRENGTHENING OF THE COORDINATION OF HUMANITARIAN AND DISASTER RELIEF ASSISTANCE OF THE UNITED NATIONS, INCLUDING SPECIAL ECONOMIC ASSISTANCE

ECONOMIC AND SOCIAL COUNCIL
Substantive session of 1995
Agenda item 5 (a)
SOCIAL, HUMANITARIAN AND HUMAN RIGHTS QUESTIONS

Measures taken following the cyclones and floods that have affected Madagascar

Report of the Secretary-General

I. INTRODUCTION

1. The present report has been prepared pursuant to Economic and Social Council resolution 1994/36 of 29 July 1994 adopted following consideration of the report of the Secretary-General relating to the implementation of General Assembly resolution 48/234 of 14 February 1994 on emergency assistance to Madagascar. 1/ In that resolution, appeals were made to the international community to assist the Government of Madagascar in successfully completing the recovery efforts to mitigate the damage caused by floods and cyclones in Madagascar.

2. In resolution 1994/36, the Council requested the Secretary-General: (a) with the participation of organizations of the United Nations, to evaluate further the extent of the damage caused by the cyclones and floods and to assess the medium- to long-term impact of the disasters on the national economy; (b) to compile information that could be used to promote a concerted international assistance effort; (c) to communicate the results of that investigation to the international community; (d) to take necessary measures to assist the Government in preparing a reconstruction and rehabilitation programme in the affected

* A/50/50/Rev.1.

regions and sectors; and (e) to report on the implementation of that resolution to the Economic and Social Council at its substantive session of 1995 and to the General Assembly at its fiftieth session.

II. ACTIVITIES UNDERTAKEN

A. Measures taken following cyclones and floods in Madagascar

3. The northern part of Madagascar is particularly vulnerable to frequent cyclones. The material damage inflicted by cyclones may exceed 10 per cent of the country's gross national product (GNP). In 1993 and 1994, the country was repeatedly hit by cyclones and floods that caused major human and material loss. The international community organized relief assistance for victims of natural disasters in instances where the extent of the damage exceeded the national relief capacity.

4. The Department of Humanitarian Affairs of the Secretariat, at the request of the Government of Madagascar, had previously undertaken a project of technical assistance for the country (MAG/84/014 - Strengthening the government intervention capacity in case of natural human disasters) at a cost of US$ 400,000 funded under Madagascar's United Nations Development Programme (UNDP) indicative planning figure.

5. The project, undertaken jointly by the Department of Humanitarian Affairs of the Secretariat and UNDP from 1987 to 1993, was aimed at creating a network of regional disaster relief and mitigation centres for provinces most affected by cyclones, with centres in Sambava, Mahajanga, Toamasina and Antsirana, as well as one in Antananarivo, the capital of the country. These centres were equipped with materials for emergency relief and for hazard monitoring. For these regional centres, the project provided consultant expertise and services, together with a United Nations Volunteer (UNV) for a duration of four years. The project consultants, in collaboration with national specialists from the ministries concerned, assessed the country's disaster relief/mitigation capacity, and coordinated the training of technical personnel. In each of the provinces two to three workshops were organized with approximately 40 persons each for project-related activities. A two-week training seminar was also organized in La Reunión, for 50 Malagasy fellows who represented authorities/ministries of internal affairs, planning, meteorological services and relief and mitigation services from four provinces. As a sign of commitment to the project, the Government provided each designated province with a building to serve as a stockpile centre. The project was planned to be used as a model for creating other regional disaster relief and mitigation centres in the country.

6. At the request of the Resident Representative of UNDP in Madagascar, the ongoing project was revised and its budget raised from US$ 400,000 to US$ 775,000. It now also includes food security issues. The implementation of the revised project was assured jointly by WFP (WFP) and UNDP.

7. Since all regional centres were located in the northern part of the country, which is most frequently exposed to tropical cyclones, the Government

in 1990 requested the formulation of a strategy for disaster preparedness and mitigation specifically geared towards the southern part of the country where natural hazards are of a different nature. These include, for example, desertification, deforestation, bush and step fire, heavy rains and cyclones, storm winds, soil and coastal erosion and fluctuation of ground water. A Department of Humanitarian Affairs of the Secretariat consultant prepared the requisite technical report, which was submitted to the Government in 1991. (A copy of the report is available upon request from the Department of Humanitarian Affairs of the Secretariat.)

8. The Department of Humanitarian Affairs of the Secretariat's approach, based on the organization of regional disaster relief centres, staff training and stockpiling of relief materials for mitigation and emergency operations, turned out to be very viable in the current economic situation of the country. Considering that these regional centres were also given the responsibility of monitoring food situations and carrying out food relief operations, the development of a network of such centres appears very appropriate. The Department of Humanitarian Affairs of the Secretariat's findings concerning the organization of disaster relief and mitigation were made known to the Government and the UNDP Resident Representative in the country. The Department of Humanitarian Affairs of the Secretariat proposed further support by other United Nations agencies to promote disaster mitigation and planning as a basis for sustainable economic and social development.

9. In 1995 Madagascar was spared cyclones similar to those that caused a major disaster in 1994. Accordingly no state of emergency was declared during that period. However, activities geared towards the strengthening of national emergency capacity and reconstruction have continued throughout 1994 and 1995.

B. National fund for natural disasters

10. In order to meet the costs relating to rehabilitation and reconstruction activities in the aftermath of cyclones and floods, the Government of Madagascar has established a national fund for this purpose. However, the size of the Fund for recovery from emergency situations (US$ 75,000) is rather modest. At the local level, the provision is reserved for the social repercussions of disasters, and has to constitute at least 15 per cent of the budget of the affected community.

11. In addition, Madagascar, through donor support, has established a national highways fund, solely for the reconstruction of highway infrastructure damaged by natural disasters. For 1995, an amount of 1.3 million Malagasy francs was set aside; 60 per cent provided by the State and 40 per cent by European Development Fund (EDF). A programme for the regular maintenance of the highway infrastructure has also been implemented. A similar proposal has been made for the maintenance of public buildings.

12. Clearly, the Government of Madagascar at this time lacks the resources and the capacity to undertake an immediate and coherent emergency response and requires the continuing support of the international community. Apart from

stocks of fuel in the capital city, the national authorities have no physical buffer stocks that can be used in crisis situations or for reconstruction.

C. Disaster-monitoring

13. The Government of Madagascar has taken a number of steps to compile data on natural disasters systematically. The National Office for the Environment has published a history of natural disasters in Madagascar, indicating the most affected areas and the extent of damage in each area. A monitoring and information network, funded by EDF, has also been established in specific regions in order to forecast and monitor natural disasters. The United Nations is assisting the Government in strengthening its capacity for early warning and has provided emergency equipment and other technical support for these activities.

D. Soil conservation activities

14. In order to promote the conservation, development and restoration of cultivated areas, the Government, supported by the World Bank, has initiated a project that specifically addresses these issues. This project acknowledges the realignment of the policies of the United Nations and the World Bank as regards the agricultural restoration of cultivated areas.

E. Rice information system

15. A statistical information system has been established to monitor the availability of rice, the staple food of Madagascar. For lack of resources, the system has, however, not always been able to provide relevant information.

III. CONCLUSION

16. In spite of all these efforts, Madagascar remains vulnerable to the impact of natural disasters. The main factor is lack of resources, which has also constrained adequate reconstruction and rehabilitation of the cyclone- and flood-affected areas. Resource limitations have, in addition, also affected the development of effective coordination and management of relief and reconstruction activities. UNDP and the Department of Humanitarian Affairs of the Secretariat have continued to assist the Government in two basic areas: in the rehabilitation and reconstruction of affected areas and in strengthening the national capacity for early warning and response, coordination and disaster relief management. As a part of the latter, disaster management training programmes have been organized for national officials to manage the emergency response units and to strengthen existing frameworks.

17. The Department of Humanitarian Affairs, working with all involved parties, will undertake a review in 1995 to evaluate disaster management policy plans at the country level. The outcome of this exercise will enable the Government to seek further funding, which remains of critical importance.

Notes

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THE SITUATION IN BOSNIA AND HERZEGOVINA

SECURITY COUNCIL
Fiftieth year

Letter dated 17 July 1995 from the Permanent Representative of Hungary to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement by the Chairman-in-Office of the Organization for Security and Cooperation in Europe, H.E. Mr. László Kovács, Minister for Foreign Affairs of the Republic of Hungary, concerning the situation in Bosnia and Herzegovina.

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under item 28 of the preliminary list, and of the Security Council.

(Signed) István NÁTHON
Permanent Representative

* A/50/50/Rev.1.

ANNEX

Statement by the Chairman-in-Office of the Organization for Security and Cooperation in Europe

Another humanitarian disaster is unfolding in the Republic of Bosnia and Herzegovina. As a consequence of the recent large-scale attack by the Bosnian Serbs, the United Nations-declared safe area of Srebrenica has fallen. Forty thousand civilian lives are now at risk. The situation in Zepa and Gorazde, two other safe areas, is also critical. The Dutch United Nations peace-keepers deployed in Srebrenica were forced to leave the town, together with thousands of fleeing civilians. A mere expression of outrage and condemnation is no longer enough.

The Bosnian Serb takeover of Srebrenica, the attacks launched against the civilian population and United Nations personnel there and in other safe areas, and the blockade of humanitarian deliveries to Sarajevo are elements of a larger, consistent pattern of Bosnian Serb repudiation of the United Nations and the international community as a whole, and of the rejection by Pale of all efforts at a peaceful settlement. With these actions, the Bosnian Serbs are sending a clear and defiant message to the world community. Those who are condoning, supporting or committing these unqualifiable actions, in blatant violation of United Nations Security Council resolutions, must be held accountable. The United Nations personnel detained by the Bosnian Serbs in Srebrenica must be immediately released. UNPROFOR's freedom of movement must be unconditionally ensured. The concept of safe areas has been fundamental to the United Nations presence in the Republic of Bosnia and Herzegovina. It was destined to be a means to provide security for the civilian populations there and to ensure their humanitarian support. It is worth recalling that events in Srebrenica were instrumental in the decision by the United Nations two years ago to introduce the very concept of safe areas in the country. Failure to provide protection to them and to stop yet another humanitarian tragedy raises the question of the viability of the entire concept. The international community should look for more adequate and efficient ways to ensure the continuation of its conflict-management activities in the former Yugoslavia as it seeks answers to some fundamental questions regarding its role and response to the unprecedented challenges stemming from this conflict. The Organization for Security and Cooperation in Europe reiterates its readiness to continue to actively support all such efforts aimed at bringing peace and justice to this tormented region.

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SECURITY COUNCIL
Fiftieth year

Letter dated 17 July 1995 from the Permanent Representative of Malaysia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement by the Minister for Foreign Affairs of Malaysia concerning the situation in Bosnia and Herzegovina, in particular the safe area of Srebrenica.

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under item 28 of the preliminary list, and of the Security Council.

(Signed) RAZALI Ismail
Permanent Representative

* A/50/50/Rev.1.

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ANNEX

Statement on Srebrenica by the Honourable
Datuk Abdullah H. Ahmad Badawi, Minister
for Foreign Affairs

That the United Nations and NATO have abandoned Srebrenica to the Serbs, leaving the other enclaves exposed to greater threat, is a scandalous and outrageous act on their part.

Srebrenica has shown that the so-called United Nations safe areas are only safe for the aggressors to brutalize, kill, rape and destroy. The civilians, women and children are not protected but left entirely at the mercy of the Serbian terrorists. Where is the credibility of the United Nations and NATO?

Malaysia once again reiterates, in the strongest terms, its condemnation of this latest Serbian act of aggression. We call upon the United Nations Security Council and NATO, the most powerful alliance in the world, to stop the Serbs by the use of all available means, including military action and air strikes.

If the United Nations and the major Powers choose simply to stand aside with their hands tied and eyes closed, unwilling and hesitant to fulfil their mandate and responsibility in Bosnia and Herzegovina, let the Bosnian people exercise their inherent right of self-defence with the immediate lifting of the arms embargo and let them invite others who are prepared to save the Bosnian people and nation.

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THE SITUATION IN BOSNIA AND HERZEGOVINA

SECURITY COUNCIL
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Letter dated 17 July 1995 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement issued by the Ministry of Foreign Affairs of Ukraine, dated 15 July 1995, concerning the recent deterioration of the situation in Bosnia and Herzegovina (see annex).

I should be grateful if you would have this letter and its annex circulated as an official document of the General Assembly, under item 28 of the preliminary list, and of the Security Council.

(Signed) Anatoli M. ZLENKO
Permanent Representative of
Ukraine to the United Nations

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Annex

[Original: Russian]

Statement issued by the Ministry of Foreign Affairs of Ukraine

Ukraine is seriously concerned at the escalation of the conflict in Bosnia and Herzegovina. Heedless of human pain and suffering, the parties to the conflict are being drawn deeper and deeper into a full-scale war, with unforeseeable consequences.

The hostilities are accompanied by acts of violence against the civilian population. The infamous practice of ethnic cleansing, in particular the deportation of Muslims from the eastern enclaves of Bosnia and Herzegovina, is becoming more widespread.

Ukraine is particularly alarmed at the hostile acts committed by the parties to the conflict against United Nations peace-keeping personnel, especially in the "safe areas" of Žepa and Goražde, where a Ukrainian contingent is deployed. The Ministry of Foreign Affairs considers the threats against and humiliation of United Nations troops and their use as living shields completely unacceptable. The language of ultimatums to which the sides are resorting with increasing frequency in their dealings with the United Nations Protection Force (UNPROFOR) is inadmissible.

Ukraine believes that the attainment of peace in the region depends primarily on the belligerent sides themselves. Without their political will, no peacemaking efforts will be able to prevent an escalation of violence.

The development of the conflict in the territory of Yugoslavia has clearly demonstrated that reliance on military might and attempts to dictate conditions for peace by force of arms are doomed to failure. Only direct dialogue between the parties to the conflict, with the mediation of the United Nations, is the quickest way of halting the bloodshed and achieving peace.

In this regard, the Ministry of Foreign Affairs of Ukraine proposes that a meeting of the Security Council at the level of Ministers for Foreign Affairs be convened as soon as possible in order to conduct a comprehensive review of the situation in Bosnia and Herzegovina and adopt effective decisions with a view to promoting a resumption of the dialogue and finding a formula for reconciliation that would be acceptable to all parties to the conflict.

The Minister for Foreign Affairs of Ukraine has sent letters to the Secretary-General of the United Nations and the President of the Security Council requesting them to take immediate steps to ensure the safety of the Ukrainian and other peace-keeping contingents.

The Ministry of Foreign Affairs and the Ministry of Defence of Ukraine are taking other necessary measures with a view to normalizing the situation.

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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

SECURITY COUNCIL
Fiftieth year

Situation of human rights in the former Yugoslavia

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly and the members of the Security Council and to the International Conference on the Former Yugoslavia the periodic report prepared by Mr. Tadeusz Mazowiecki, Special Rapporteur of the Commission on Human Rights, on the situation of human rights in the territory of the former Yugoslavia, in accordance with paragraph 42 of Commission on Human Rights resolution 1995/89 of 8 March 1995.

* A/50/50/Rev.1.

Annex

Periodic report submitted by Mr. Tadeusz Mazowiecki, Special Rapporteur of the Commission on Human Rights, pursuant to paragraph 42 of Commission resolution 1995/89 of 8 March 1995

Situation in the region of Banja Luka, northern Bosnia and Herzegovina

Introduction

1. The world's attention was first called to the policy of "ethnic cleansing" in northern Bosnia and Herzegovina in the spring of 1992. The Commission on Human Rights condemned those practices for the first time in its resolution 1992/S-1/1, adopted on 14 August 1992.

2. The Special Rapporteur described those practices in his first report E/CN.4/1992/S-1/9 (paras. 6-23), as well as in following reports: E/CN.4/1992/S-1/10 (paras. 1, 6-8); A/47/666; S/24809 (paras. 8-27); E/CN.4/1993/50 (paras. 16-31, 82-89, 95-101); E/CN.4/1994/3 (paras. 5-42); E/CN.4/1994/4 (paras. 6, 43); E/CN.4/1994/47 (paras. 18, 75-76, 79-82, 84-85, 89-91, 98); E/CN.4/1994/110 (paras. 8-13, 40-44, 50, 73, 75, 226, 283-293); E/CN.4/1995/10 (para. 22); A/49/641-S/1994/1252 (paras. 11-24, 79, 87); E/CN.4/1995/57 (paras. 7-9).

3. The present report has been issued in response to the most recent stages of this campaign, taking place in the Banja Luka region of Bosnia and Herzegovina, which threatens to force from the territory virtually the entire remaining non-Serb population.

Background

4. Before the war Banja Luka and its environs used to be a multicultural and multi-ethnic region. Diverse religions were tolerated; therefore a large number of cultural and religious sites like mosques, churches and cathedrals existed in harmony. According to the pre-war 1991 census, the territory of what is now northern Bosnia and Herzegovina had a population which included 625,000 Serbs, 356,000 Muslims and 180,000 Croats. Estimates made by the Office of the United Nations High Commissioner for Refugees (UNHCR) place the total number of Serbs now at some 719,000, while Muslims number about 37,000 and Croats 30,000 - signifying a reduction by some 90 per cent of the local Muslim population and by 85 per cent of the Croat population since the beginning of the war. 1/ Nearly 3,000 refugees crossed into Croatia in the first three months of 1995, while hundreds of other persons have left for destinations elsewhere in Bosnia, including some 300 Muslims who arrived in central Bosnia via Turbe on 9 March 1995.

5. Since the beginning of the war a large number of mosques, including the renowned Tefterdarija and Ferhadija mosques, as well as many churches, have been destroyed or damaged.

6. It is important to note that the de facto Bosnian Serb authorities 2/ consistently refuse access by human rights monitors to territories controlled by them. The cease-fire agreements reached towards the end of 1994 included specific provision for international monitoring of the human rights situation throughout the territory of Bosnia and Herzegovina. While the authorities of that Republic have always displayed a willingness to cooperate without being obstructive in any way, the Bosnian Serb authorities have never implemented the commitments that they have undertaken.

Recent developments

7. The persecution of non-Serbs in and around Banja Luka reached a critical point in February 1995, when certain towns suffered sustained campaigns of violence directed principally against the Muslim inhabitants, and also, increasingly, against Bosnian Croats as well. Personal security has been most at risk in smaller outlying towns and villages, where gangs appear to be operating with impunity. In Gradiska, near the Croatian border, reliable reports were received of armed men in civilian dress, calling themselves policemen, systematically moving from house to house over the course of some 10 days, breaking in, demanding money and valuables and beating residents. At least two persons were shot and had to be hospitalized in serious condition.

8. Similarly, in villages near Kotor Vares, notably Drube and Garici, small groups of armed men swept through on successive nights, plundering homes and beating inhabitants indiscriminately and severely, including women and elderly persons. One man was found the day after one attack, nearly unconscious and bleeding from the ears. Another family reported that the attackers broke into their home, threatened to rape one woman and held a knife to her child's throat, and left only after the family managed to scrape together DM 300 to hand over to them.

9. In the cities of Banja Luka, Prijedor and Sanski Most, familiar patterns of intimidation and discrimination have persisted unchecked in recent months. Interviews with recently-arrived refugees in camps in Croatia reveal great consistency in the experiences suffered by non-Serbs in these localities. Armed persons are reported to be entering homes and seizing what they want. Although such incursions can happen at any time, they are more common at night. According to numerous testimonies received by the Special Rapporteur, the night-time is worse, because it is never known what can happen. Some refugees recounted spending nights with neighbours in fields near their homes, in order to avoid harm from possible intruders.

10. On the streets, the non-Serb population, especially Muslims, report feeling highly vulnerable. One man testified that he would only venture outside in the company of Serb acquaintances and another said he had remained hidden at home for most of the past two years, while his wife went out to buy food, since it is safer for women than for men on the streets. Testimonies that people have remained hidden in their homes for weeks and months at a time are commonplace. Outside, non-Serbs are subject to random beatings and routine humiliations. In addition, men may be summarily detained at any time and held for service in forced-labour brigades.

11. There are encouraging reports that significant numbers of the local Serb population refuse to take part in the discriminating practices against the non-Serb population. Those Serbs, however, are also living under constant pressure from nationalistic groups.

12. Numerous refugees recently arrived in Croatia attested that telephone lines of households belonging to non-Serbs throughout the region have been disconnected. That measure greatly increases their sense of isolation. Orders have also reportedly been given, without explanation, to non-Serbs in several communities around Banja Luka to keep the front doors of their homes unlocked at all times.

13. Croats in the Banja Luka area have suffered an increase in violence in recent months, especially following increased military activity by Bosnian Croat HVO (Croatian Defence Council) forces in south-western Bosnia and Herzegovina at the end of 1994. As noted in the Special Rapporteur's report of 16 January 1995 (E/CN.4/1995/57, para. 9), some 30 Bosnian Croats were arrested in front of a church at Barlovci, near Banja Luka, while waiting for the start of Christmas services on 25 December 1994, and were subsequently taken by military police to army headquarters, where they were badly beaten. Reliable reports indicate that several small Croat villages south of Banja Luka were victimized early this year by roving gangs similar to those which have pillaged Muslim communities.

14. In the early morning hours of 28 February 1995, virtually the entire local leadership of the Muslim humanitarian organization Merhamet was arrested in a coordinated sweep by the de facto authorities in the cities of Banja Luka, Prijedor and Sanski Most. A total of 13 persons, several of whom are over 70 years of age, were taken into custody; 3 were released a few days later. At the time of issuing of this report, the remaining 10 were still being held in a military prison, reportedly charged by the de facto regime with the crime of espionage. Merhamet has long been active in the

former Yugoslavia, and recently has provided vital humanitarian assistance to Muslims and others throughout the region. The Special Rapporteur is deeply concerned for the welfare of the detained Merhamet leaders, whose arrests appear to have been politically motivated and who reportedly have been subjected to mistreatment while in prison. There is also cause for concern that their arrest will have an adverse impact on the distribution of humanitarian assistance in northern Bosnia and Herzegovina. The Special Rapporteur has sent a letter to Mr. Karadzic requesting the immediate release of those detainees. As of the date of the present report no answer has been received.

15. It has been reported that on 18 March 1995 de facto military authorities took some 200 Muslims of draft age from the Teslic municipality to an unspecified destination. Allegedly, their whereabouts are still unknown.

16. Some acts of violence against non-Serbs in the Banja Luka area are attributed by the victims and observers to members of local civilian or military security forces, while others are ascribed to so-called criminal elements. Some assaults appear to occur spontaneously, as a direct consequence of reverses suffered by Bosnian Serb forces on the battlefield. In any case, it is evident that as a rule, the de facto authorities condone the violence. Complaints made to these authorities of attacks against civilians routinely go unheeded, and there is scant evidence of measures being taken to protect threatened communities. One exception recently occurred in the Gradiska municipality, where persons allegedly responsible for the wave of attacks in late February were reportedly arrested in early March.

17. The persistent threat of violence only deepens the long-standing climate of hostility to which non-Serbs have been exposed in and around Banja Luka. Most Muslims and Bosnian Croats have long since been dismissed from their jobs, usually suffering cancellation of any pension benefits they may have accrued over the years. Some individuals report having their title to their homes summarily revoked. Non-Serb teenagers describe a fearful atmosphere in some secondary schools, where Serb classmates sometimes carry weapons and threats against Muslims and Bosnian Croats are commonplace.

18. Access to medical care is reported to be difficult for non-Serbs. One investigation attributed this mainly to discrimination against the poor rather than nationality-based discrimination: since non-Serbs have usually been deprived of their jobs and are not covered by health insurance, they have no means to pay and thus are excluded from basic care. 1/ Nevertheless, some refugees have reported that they were required to pay high fees in advance while Serbs frequently, on the basis of service in the military, enjoy a general entitlement to health care regardless of ability to pay.

Forced labour

19. An important phenomenon continuing unabated in northern Bosnia and Herzegovina has been the use on a large scale of civilians for unpaid forced labour. Persons required to perform this activity by the de facto authorities are men from as young as 16 to 65 years of age and more; recent reports suggest that childless women are also subject to the work requirement. Recruits are almost invariably members of the Muslim, Croat and Roma population.

20. Although the programme of forced labour appears well organized by the de facto authorities, the actual process of pressing individuals into the work brigades appears highly irregular: many reports have been received by the Special Rapporteur of men being seized by local authorities in their homes without warning, as happened to a group of some 25 men from one street in Banja Luka on a day in September 1994. Other reports have described non-Serbs being stopped on the streets and summarily dispatched to labour sites without any opportunity to notify relatives. This practice has been a major cause of persons' fear of emerging from their homes for months at a time.

21. Numerous testimonies confirm that forced-labour brigades are frequently deployed by the Bosnian Serb authorities at or near active military confrontation lines. They often remain at these locations for months at a time, working 12-hour shifts and more under extremely onerous conditions. Common tasks required of workers include digging trenches, moving supplies and evacuating dead and wounded combatants. Proximity to the fighting places members of these brigades at great risk. One refugee now in Croatia recounted how a granade fell through the roof of his work team's shelter at a location near the Doboj front line one night, wounding a friend in the leg. After being given cursory medical treatment at a field hospital, the victim was returned soon thereafter to resume work. Reliable reports indicate that numerous members of work brigades have been killed or wounded in front-line areas.

22. In early December 1994, a group of some 250 Croats and Muslims from the Banja Luka area were rounded up by military police and sent to the region around Glamoc and Grahovo, about 100 kilometres south of Banja Luka, where the Bosnian Croat HVO army was conducting offensive operations against Bosnian Serb positions. The men reportedly suffered verbal and occasional physical abuse at the hands of Serb soldiers, often went without regular meals and slept in roofless shelters or in the open. According to numerous reliable testimonies, members of these brigades were forced to dig trenches in front of Serb positions, in effect being made to serve as "human shields" against the advance of Croat forces. On the night of 23-24 December, an HVO offensive resulted in heavy artillery exchanges which reportedly caused the deaths of at laast six of these civilian labourers. Some 48 others were found alive in captured territory and taken to the Bosnian Croat-held town of Livno; others were reportedly allowed by Bosnian Serb forces to return to the Banja Luka area only late in January 1995, after the fighting had decreased.

23. Labourers not dispatched to front lines by the de facto authorities are forced to perform arduous and often humiliating tasks elsewhere in northern Bosnia and Herzegovina. Among the most common of these activities are cutting firewood, harvesting crops and performing other agricultural chores, and even reportedly working in privately-owned factories, as always without pay. Non-Serbs of high professional status are frequently assigned manual chores such as sweeping streets and collecting rubbish. One recent refugee recounted how her husband was taunted by children who tossed litter from a school window as he cleaned the street below.

Departure procedures

24. Testimonies received by the Special Rapporteur from recently-arrived refugees indicate it is the forced-labour obligation as well as the virulence of the ongoing campaign of violence which have resulted in practically all

non-Serbs fervently wishing to leave the Banja Luka area at present. Much of the remaining Muslim and Bosnian Croat population is in the process of attempting to secure exit permits, and many hundreds of people have appealed to international agencies for help in arranging their immediate evacuation.

25. For persons unable to meet the high costs imposed for flight across the border into Croatia, the only alternative continues to be displacement into other areas of Bosnia and Herzegovina, for which the payment now being required is somehow smaller. Tens of thousands of Muslims and Bosnian Croats have taken this step since the beginning of the war.

26. Procedures imposed by the de facto authorities for departure to Croatia are complicated and typically result in the surrender of virtually all of the intending exile's assets to the authorities and to certain local agencies. Persons wishing to leave must apply through these agencies (one of which used to be the local Red Cross) and paying amounts ranging from DM 300 to 500 per person, and sometimes more. They must also pay fees amounting to several hundred DM to various municipal offices, and must pay for bus passage to the border with Croatia. Property owners are normally required to relinquish in writing their claim to their homes, without reimbursement. The Special Rapporteur has received testimonies from persons who sold everything they owned to pay for permission to depart. Valuables which people have managed to take with them have reportedly been confiscated at the crossing into Croatia by Bosnian Serb border guards.

27. Information recently received by the Special Rapporteur indicates that authorities in the capital of the so-called "Serbian Republic" in Pale have recently attempted to take control over the departure process from the local authorities in Banja Luka - a shift which may result in new restrictions on freedom of movement. Reportedly, permission of the military authorities must also be obtained in order to leave the territory. These developments apparently resulted in the turning back of one group of some 350 intending refugees at Gradiska, near the Croatian border, by Bosnian Serb police on 17 March, on the grounds that the group allegedly lacked the proper departure authorization.

28. Moreover, the authorities in Pale have reportedly decided to forbid departure by all remaining draft-age males. This has placed those persons who had already received exit authorization and surrendered their property in an especially difficult situation.

Conclusions and recommendations

29. The de facto Bosnian Serb authorities are very close to attaining their apparent aim of achieving "ethnic purity" in territory under their control. Non-Serbs have been subjected to unrelenting terrorization and discrimination, and it appears that virtually none wish to remain in northern Bosnia and Herzegovina.

30. Recent evidence suggests the de-facto authorities may stop somewhat short of achieving 100 per cent "ethnic purity". While local authorities in the Banja Luka area reap considerable revenue from fees imposed on persons applying to leave, the Pale authorities seem to have moved to slow down the

last stages of the exodus. Among their motives may be a wish to retain some non-Serbs for forced labour, and to have people for inclusion in negotiated population exchanges.

31. The increased operations of so-called criminal gangs in Banja Luka area must be noted. These gangs operate in a paramilitary style and one of their purposes appears to be to carry out "ethnic cleansing" without directly implicating the authorities. Nevertheless, a large amount of evidence suggests that the de facto authorities are personally and directly responsible for the massive human rights abuses which have taken place in northern Bosnia and Herzegovina. Such evidence includes the authorities' failure to take even minimal steps for the protection of victimized populations.

32. The de facto authorities continue relentlessly to compel non-Serbs to serve in forced-labour brigades. Numerous aspects of this forced labour, most notably the frequent deployment of civilian workers to front-line areas, violate international human rights and humanitarian law. 4/

33. The de facto authorities have violated from the very beginning their obligations under the cease-fire agreements of December 1994 to allow access of human rights monitors into territories controlled by them.

34. The Special Rapporteur, once again, calls upon the responsible authorities to cease immediately all practices of "ethnic cleansing", to provide adequate protection to all groups subjected to discrimination in the Banja Luka region and to facilitate the restitution of property. Furthermore, he urges that all those responsible for crimes be brought to justice and that conditions be created for the return in safety and dignity of all displaced persons and refugees.

35. The Special Rapporteur calls upon the international community to exercise all possible pressure to obtain access of United Nations civilian police (UNCIVPOL) officers and human rights monitors to territories controlled by the Bosnian Serb authorities.

Notes

1/ "Information notes on the former Yugoslavia", Office of the Special Envoy, UNHCR (Zagreb, 11 April 1995).

2/ Wherever the term "Bosnian Serb forces" or "Bosnian Serb de facto authorities" are used in this report, reference is being made, unless otherwise indicated, only to Bosnian Serbs who are in the military or civilian service of the de facto administration which has its political headquarters at Pale. In particular, no reference is intended, or to be implied, to any Bosnian Serbs who are loyal to the Republic of Bosnia and Herzegovina.

3/ "WHO's humanitarian assistance programme", World Health Organization, Zagreb Area Office, Report No. 35 (March 1995).

4/ For example, The Geneva Conventions of 12 August 1949 (common art. 3); Protocol II Additional to the Geneva Conventions (arts. 4(1), 4(2), 5(1)(e), 13, 17).

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Item 28 of the preliminary list*
THE SITUATION IN BOSNIA
AND HERZEGOVINA

SECURITY COUNCIL
Fiftieth year

Letter dated 19 July 1995 from the Chargé d'affaires a.i.
of the Permanent Mission of Jordan to the United Nations
addressed to the Secretary-General

I have the honour to transmit to you herewith the text of the statement of His Excellency Mr. Abdul-Karim Kabariti, Minister for Foreign Affairs of the Hashemite Kingdom of Jordan, regarding developments in the situation in Bosnia and Herzegovina.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly, under item 28 of the preliminary list, and of the Security Council.

(Signed) Fuad A. BATAINEH
Chargé d'affaires a.i.

* A/50/50/Rev.1.

ANNEX

Statement made on 19 July 1995 by the Minister for Foreign Affairs of Jordan regarding developments in the situation in Bosnia and Herzegovina

The Government of the Hashemite Kingdom of Jordan notes with deep concern and with the strongest possible censure the deterioration of the situation in the Republic of Bosnia and Herzegovina, which has been caused by acts of Serb aggression and the grave human rights violations that have been committed there, with their succession of atrocities inflicted on the inhabitants of Bosnia and Herzegovina as part of the policy of the ethnic cleansing of Bosnian Muslims.

The Serb forces are continuing their practice of occupying safe areas, forcing their inhabitants into exile, or killing or raping them or sending them to concentration camps. This is taking place in the heart of civilized Europe during the era of human rights, democracy and freedom. It would be reprehensible in the extreme not to put an end to such practices, and the United Nations and the great Powers should not remain mere spectators.

The fact that the United Nations, the great Powers and the North Atlantic Treaty Organization (NATO) are renouncing their political, military, humanitarian and moral responsibilities is a source of perplexity and indignation, especially when one sees the tragedy of Srebrenica and its inhabitants being repeated at this very moment in the safe area of Žepa.

While condemning in the most vigorous terms the acts of aggression that have been perpetrated by the Serbs, the Government of the Hashemite Kingdom of Jordan requests the United Nations and the great Powers to carry out their mandate and assume their responsibilities by putting an end to this aggression and this tragedy, failing which we shall demand that they allow the Bosnian people to exercise their basic, legitimate and inalienable right to their legitimate defence, by immediately lifting the embargo on arms to Bosnia and Herzegovina and giving all those who are willing to do so the opportunity to make their contribution to the defence of the Bosnian people and State.

(Signed) Abdul-Karim KABARITI
Minister for Foreign Affairs